

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case Number: 1:23-cv-23858-XXXX

ROBERT SCOT JAMES, individually,
and CORE2000, LLC,

Plaintiffs,

v.

HONORS HOLDINGS, LLC,

Defendant,

v.

ULTIMATE FITNESS GROUP, LLC, d/b/a
ORANGE THEORY FITNESS

Garnishee.

_____ /

EXHIBIT A - WRIT OF GARNISHMENT

**TO THE UNITED STATES MARSHAL
SOUTHERN DISTRICT OF FLORIDA:**

YOU ARE COMMANDED to summon Garnishee, ULTIMATE FITNESS GROUP, LLC, doing business as ORANGE THEORY FITNESS, 6000 Broken Sound Parkway NW, Suite 200, Boca Raton, FL 33316 by and through PARACOP INCORPORATED, as its registered agent, at 155 Office Plaza Drive, 1st Floor, Tallahassee, Fl 32301, and who is required to serve an answer to this Writ on FRANCISCO ARMADA, Plaintiffs' attorney, whose address is 2 South Biscayne Boulevard, 21st Floor, Miami, FL 33131, Telephone: (305) 373-9411, email: Francisco.Armada@nelsonmullins.com within 20 days after service on Garnishee, exclusive of the day of service, and to file the original with the Clerk of this Court either before service on the attorney or immediately thereafter.

The answer must state whether Garnishee is indebted to HONORS HOLDINGS, LLC, at the time of the answer or was indebted at the time of service of the Writ, or at any time between such times, and in what sum and what tangible and intangible personal property of HONORS HOLDINGS, LLC, Garnishee is in possession or control of at the time of the answer or had at the time of service of this Writ, or at any time between such times, and whether Garnishee knows of any other person indebted to HONORS HOLDINGS, LLC, or who may be in possession or control of any of the property of HONORS HOLDINGS, LLC.

The amount set in Plaintiffs' motion is \$6,032,533.00 plus accrued post-judgment interest at the contractual rate of 15% per annum since the date of the entry of the judgment on September 28, 2023.

FAILURE TO FILE AN ANSWER WITHIN THE TIME REQUIRED MAY RESULT IN THE ENTRY OF JUDGMENT AGAINST GARNISHEE FOR THE ABOVE TOTAL OF \$6,032,533.00, PLUS INTEREST, COSTS, AND ATTORNEY'S FEES.

DONE and ORDERED in Chambers at West Palm Beach, Florida this 18th day of October, 2023.

Angela E. Noble
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
By: *C. Davis*
Deputy Clerk



**NOTICE TO DEFENDANT OF RIGHT AGAINST GARNISHMENT OF WAGES,
MONEY & OTHER PROPERTY PURSUANT TO FLORIDA STATUTES 77.041(1)**

The Writ of Garnishment delivered to you with this Notice means that wages, money, and other property belonging to you have been garnished to pay a court judgment against you. HOWEVER, YOU MAY BE ABLE TO KEEP OR RECOVER YOUR WAGES, MONEY, OR PROPERTY. READ THIS NOTICE CAREFULLY.

State and federal laws provide that certain wages, money, and property, even if deposited in a bank, savings and loan, or credit union, may not be taken to pay certain types of court judgments. Such wages, money, and property are exempt from garnishment. The major exemptions are listed below on the form for Claim of Exemption and Request for Hearing. This list does not include all possible exemptions. You should consult a lawyer for specific advice.

IF AN EXEMPTION FROM GARNISHMENT APPLIES TO YOU AND YOU WANT TO KEEP YOUR WAGES, MONEY, AND OTHER PROPERTY FROM BEING GARNISHED, OR TO RECOVER ANYTHING ALREADY TAKEN, YOU MUST COMPLETE A FORM FOR CLAIM OF EXEMPTION AND REQUEST FOR HEARING AS SET FORTH BELOW AND HAVE THE FORM NOTARIZED. IF YOU HAVE A VALID EXEMPTION, YOU MUST FILE THE FORM WITH THE CLERK'S OFFICE WITHIN 20 DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE OR YOU MAY LOSE IMPORTANT RIGHTS. YOU MUST ALSO MAIL OR DELIVER A COPY OF THIS FORM TO THE PLAINTIFF OR THE PLAINTIFF'S ATTORNEY AND THE GARNISHEE OR THE GARNISHEE'S ATTORNEY AT THE ADDRESSES LISTED ON THE WRIT OF GARNISHMENT. NOTE THAT THE FORM REQUIRES YOU TO COMPLETE A CERTIFICATION THAT YOU MAILED OR HAND DELIVERED COPIES TO THE PLAINTIFF OR THE PLAINTIFF'S ATTORNEY AND THE GARNISHEE OR THE GARNISHEE'S ATTORNEY.

If you request a hearing, it will be held as soon as possible after your request is received by the court. The plaintiff or the plaintiff's attorney must file any objection within 8 business days if you hand delivered to the plaintiff or the plaintiff's attorney a copy of the form for Claim of Exemption and Request for Hearing or, alternatively, 14 business days if you mailed a copy of the form for claim and request to the plaintiff or the plaintiff's attorney. If the plaintiff or the plaintiff's attorney files an objection to your Claim of Exemption and Request for Hearing, the clerk will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney. If the plaintiff or the plaintiff's attorney fails to file an objection, no hearing is required, the writ of garnishment will be dissolved and your wages, money, or property will be released.

IF YOU HAVE A VALID EXEMPTION, YOU SHOULD FILE THE FORM FOR CLAIM OF EXEMPTION IMMEDIATELY TO KEEP YOUR WAGES, MONEY, OR PROPERTY FROM BEING APPLIED TO THE COURT JUDGMENT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED LEGAL ASSISTANCE YOU SHOULD SEE A LAWYER. IF YOU CANNOT AFFORD A PRIVATE LAWYER, LEGAL SERVICES MAY BE AVAILABLE. CONTACT YOUR LOCAL BAR ASSOCIATION OR ASK THE CLERK'S OFFICE ABOUT ANY LEGAL SERVICES PROGRAM IN YOUR AREA.

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**EXHIBIT B - CLAIM OF EXEMPTION AND REQUEST FOR HEARING
PURSUANT TO FLORIDA STATUTES 77.041(1)**

I claim exemptions from garnishment under the following categories as checked:

- _____ 1. Head of family wages. (Check either a. or b. below, if applicable.)
 - _____ a. I provide more than one-half of the support for a child or other dependent and have net earnings of \$750 or less per week.
 - _____ b. I provide more than one-half of the support for a child or other dependent, have net earnings of more than \$750 per week, but have not agreed in writing to have my wages garnished.
- _____ 2. Social Security benefits.
- _____ 3. Supplemental Security Income benefits.
- _____ 4. Public assistance (welfare).
- _____ 5. Workers' Compensation.
- _____ 6. Reemployment assistance or unemployment compensation.
- _____ 7. Veterans' benefits.
- _____ 8. Retirement or profit-sharing benefits or pension money.
- _____ 9. Life insurance benefits or cash surrender value of a life insurance policy or proceeds of annuity contract.
- _____ 10. Disability income benefits.

_____ 11. Prepaid College Trust Fund or Medical Savings Account.

_____ 12. Other exemptions as provided by law. (Explain) _____.

I request a hearing to decide the validity of my claim. Notice of the hearing should be given to me at:

Address: _____

City: _____ State: _____ Zip: _____ Ph. No.: _____

The statements made in this request are true to the best of my knowledge and belief.

(Defendant's Signature)

(Date)

STATE OF FLORIDA

COUNTY OF _____

SWORN AND SUBSCRIBED to before me this _____ day of _____, 20__, by
_____.

Notary Public

Personally known _____ OR Produced Identification _____

Type of Identification Produced _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was hand delivered
_____ OR mailed _____ by first class mail to the Plaintiff or Plaintiff's attorney this _____ day of
_____, 20__.

Defendant